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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

KIM et al.

U.S. National Phase of PCT/KR00/00228

Filed: January 29, 2002

For: A BIOFUEL CELL USING WASTEWATER AND ACTIVE SLUDGE FOR  
WASTEWATER TREATMENT

Attention: PCT OFFICE

Attention: PCT Legal Staff  
Office of Petitions

PETITION TO REVIVE ABANDONED APPLICATION

UNDER 37 C.F.R. § 1.137 (b)

02/04/2002 LLANDGRA 00000085 10030153

03 FC:241

640.00 OP

RECEIVED

01 APR 2002

Assistant Commissioner for Patents  
Washington, D.C. 20231

Legal Staff  
International Division

Sir:

The Commissioner is hereby petitioned to accept entry of the above identified application into the national stage.

The petition fee under 37 C.F.R. 1.17(m) in the amount of \$640.00, the required fee for a small entity, and small entity status for applicants is asserted. The inventors have not assigned or licensed their invention to a large Entity and have no obligation to do so.

The application was abandoned as to the United States for failure to prosecute by not timely entering national stage by January 7, 2002, (thirty months from the priority date) due to the inability of the undersigned attorney's office to open the electronic files containing the necessary information to timely enter national stage in the United States with respect to the above-identified application. An e-mail request to enter National Stage of the above application was received in the Office of the undersigned on January 3, 2002. However, the attachments to this e-mail with the necessary information could not be opened. Repeated requests were made to the sender for attachments in readable form for the undersigned to take appropriate action. The necessary information was not received until after the due date of January 7, 2002.

A copy of the PCT Request designating the United States is submitted herewith.

As noted in MPEP §1893.02, if the requirements of 35 USC 371(c) are not complied with by the time period set in 37 CFR 1.494 (b) and (c), the application is considered abandoned. The date of abandonment is the day after the date on which the 35 USC 371(c) requirements were due. MPEP §1893.02 further states that Applicants may file a petition to revive an abandoned application in accordance with the provisions of 37 CFR 1.137.

A complete response in the form of a request for entry into the national stage in the United States is submitted herewith.

A terminal disclaimer is unnecessary since the application was filed after June 8, 1995.

The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.

The Commissioner is hereby authorized to charge any fees necessary for this petition under 37 CFR 1.137(b) to Deposit Account No. 02-0200.

Respectfully submitted,

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REF/ref  
petition to revivePCTnational stage.wpd

Date: January 29, 2002